

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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FRED and MICHANA WESTERFIELD, et al.,,

Plaintiffs,

v.

Case No. 06-C-1210

THE QUIZNO'S FRANCHISE  
COMPANY, LLC, et al.,

Defendants.

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**SUPPLEMENTAL ORDER**

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On November 5, 2007, the Court entered its Memorandum Decision and Order granting the Rule 12(b)(6) motion to dismiss filed by The Quizno's Franchise Company LLC, its various affiliates and two of its officers and directors (collectively, "Quizno's"). Although the remaining defendants, Eric and Stuart Brown, and Darin and Eric Twetin, who served as Area Directors for Quizno's Wisconsin franchise sales, did not also move for dismissal, the Court's analysis also applied to the claims against them, and judgment was entered accordingly as to all of the claims against all of the defendants. Defendants Eric and Stuart Brown have now filed a motion seeking dismissal on the same grounds as previously granted Quizno's. Judgment of dismissal having already been granted in favor of the Browns, their motion will be denied as moot.

**So Ordered** this 7th day of November, 2007.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge